

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF HUNTINGTON BEACH,
SETTING FORTH TERMS AND CONDITIONS OF
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CalPERS)
BENEFITS IN COMPLIANCE WITH REQUIREMENTS OF THE PUBLIC
EMPLOYEES' PENSION REFORM ACT (PEPRA) FOR NEW NON-ASSOCIATED
EMPLOYEES

WHEREAS, the State Legislature passed and the Governor of California signed Assembly Bill 340, the Public Employees' Pension Reform Act of 2013 (PEPRA), which makes a number of changes to the Public Employees' Retirement Law; and

WHEREAS, PEPRA requires a public retirement system to modify its retirement plan to comply with PEPRA; and

WHEREAS, the California Public Employees Retirement System (CalPERS) is a public retirement system subject to PEPRA's provisions; and

WHEREAS, the City has contracted with CalPERS to provide retirement benefits for its employees; and

WHEREAS, PEPRA mandates that with respect to new members, as defined by statute, who are hired on or after January 1, 2013, that CalPERS establish new retirement formulas and a single methodology for determining the amount of a new member's retirement for its contracting agencies (PEPRA Mandates); and

WHEREAS, the retirement formulas and methodology for calculating retirement compensation which is set forth in City resolutions and memoranda of understanding (MOUs) setting forth the terms and conditions of employment for City employees are different than the PEPRA Mandates; and

WHEREAS, PEPRA provides that the PEPRA Mandates supersede the resolutions and MOUs with respect to new members and thus, the City has no discretion as to whether to implement the PEPRA Mandates for new members (as defined by statute) hired on or after January 1, 2013; and

WHEREAS, pursuant to state law, the City Council establishes the compensation, including retirement benefits, for its employees by ordinance or resolution; and

WHEREAS, the City Council of the City of Huntington Beach desires to modify salary and benefits for non-represented employees upon adoption of this resolution,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to the Public Employees' Pension Reform Act of 2013 (PEPRA) and notwithstanding any provision of any other City Council resolution or memorandum of understanding between the City and unrepresented employees, any new member employee, as defined by PEPRA, who is hired on or after January 1, 2013, shall be subject to the following retirement benefits:

For Non-safety Employees

Government Code section 7522.20 (2% @ 62 retirement formula).

Government Code section 7522.32 (final compensation rate used to calculate pension benefit is average of member's highest annual pensionable compensation over a consecutive 36 month period).

For Safety Employees

Government Code section 7522.25 (2% @ 50 retirement formula, maximum benefit of 2.7% @ 57).

Government Code section 7522.32 (final compensation rate used to calculate pension benefit is average of member's highest annual pensionable compensation over a consecutive 36 month period).

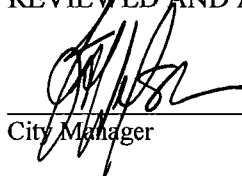
SECTION 2. Except as modified herein existing benefits shall remain in effect.

SECTION 3. Any resolution in conflict herewith, whether by minute action or resolution of the City Council heretofore approved, is hereby repealed.

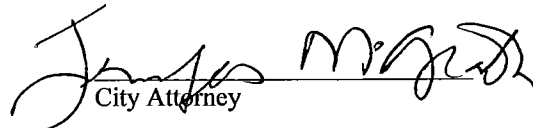
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 17th day of December, 2012.


Mayor

REVIEWED AND APPROVED:


City Manager

APPROVED AS TO FORM:


City Attorney

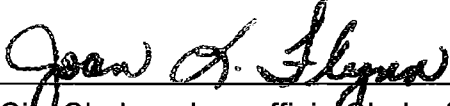
INITIATED AND APPROVED:


Director of Human Resources

STATE OF CALIFORNIA
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, JOAN L. FLYNN the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at an **Regular** meeting thereof held on **December 17, 2012** by the following vote:

AYES: Sullivan, Hardy, Harper, Boardman ,Carchio, Shaw, Katapodis
NOES: None
ABSENT: None
ABSTAIN: None



City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California